

PUBLIC NOTICE WILLIAMSBURG PLANNING COMMISSION

The Williamsburg Planning Commission will hold a public hearing on August 20, 2014, 3:30 P.M. in the Third Floor Conference Room at the Williamsburg Municipal Building, 401 Lafayette Street, to consider the following:

PCR #14-016: Request of Copper Fox Distillery for a special use permit to operate a micro-distillery at 901 Capitol Landing Road. The property is zoned B-2 Corridor Business District.

PCR #14-017: Request of Delphi Properties, Inc., to amend the PDU Planned Development Urban District conditions for the City Lofts Student Apartments at 1400 Middle Street. This 2.64 acre property is designated as Urban Residential land use by the 2013 Comprehensive Plan. Urban Residential land use is designed specifically for the multifamily residential area in the Midtown Planning Area. The PDU District allows multifamily and student dwellings, with the allowed density to be determined through the rezoning process. The original approval (PCR #12-006) was for 94 one-bedroom student dwelling units (49 units to accommodate two students, and 45 to accommodate one student, for a total of 143 students), plus a two-bedroom manager's apartment. The proposed changes are for 75 two-bedroom apartments to accommodate two students each, 14 one-bedroom apartments to accommodate one student each, for a total of 164 students, plus a two-bedroom manager's apartment.

PCR #14-018: Amend the Zoning Ordinance to revise the definition of "Group home" [Sec. 21-2] to reflect the latest changes made to the Virginia Code.

PCR #14-019: Amend the Subdivision Ordinance to revise the provisions for Preliminary Plats by requiring Preliminary Plats for subdivisions of more than 50 lots, with an optional review for subdivisions of 50 lots or less [Sec. 25-29.1]. This will bring the Subdivision Ordinance into accord with the latest changes made to the Virginia Code.

Additional information is available at www.williamsburgva.gov/publicnotice or at the Planning Department (757) 220-6130, 401 Lafayette Street. Interested citizens are invited to attend this hearing and present their comments to Planning Commission.

If you are disabled and need accommodation in order to participate in the public hearing, please call the Planning Department at (757) 220-6130, (TTY) 220-6108, no later than 12:00 noon, Wednesday, August 13, 2014.

Reed T. Nester Planning Director



TO: Planning Commission

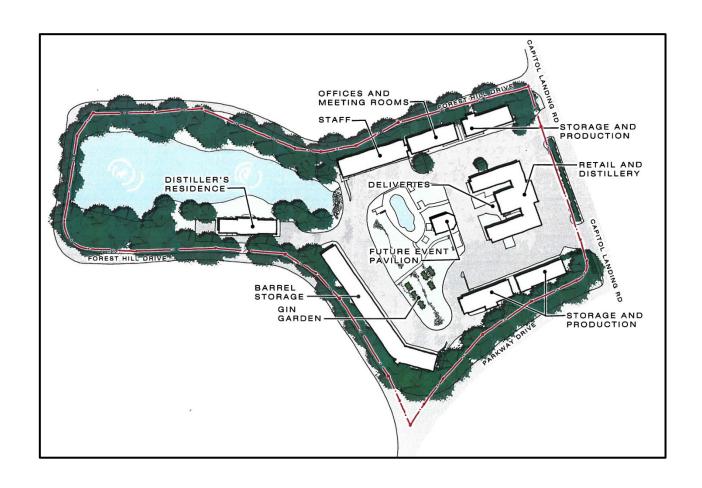
DATE: July 10, 2014

SUBJECT: PCR #14-016

Request of Copper Fox Distillery for a special use permit to operate a

micro-distillery at 901 Capitol Landing Road

Copper Fox Distillery Enterprises, LLC is proposing to operate a micro-distillery at 901 Capitol Landing Road which requires a special use permit in the Corridor Business District B-2. The applicant proposes to convert the existing motel buildings into buildings used for the distillery to include retail and distillery, storage and production, office and meeting rooms, barrel storage, gin garden and a residence for the owner.



COMPREHENSIVE PLAN

The 2013 Comprehensive Plan designates this parcel as Corridor Commercial land use, which is defined by the Plan as follows:

This property is designated as Corridor Commercial land use in the 2013 Comprehensive Plan. This land use category designates land on the City's heavily traveled entrance corridors for commercial and service uses primarily oriented to the automobile. This category applies to local shopping areas, hotels, restaurants and substantial sections of Richmond Road, Capitol Landing Road, York Street, Second Street and the small portion of Mooretown Road located within the City limits are currently developed in this land use pattern. To ensure high quality development, the more intensive commercial uses should require special use permits. Corridor Commercial land use is intended to promote the City's economic development policy for its limited, remaining high-visibility commercial sites.

Land to the north, south and east are designed as Corridor Commercial land use. The land to the west is designated Low Density Single-Family Detached Residential.

ZONING

The majority of this property along with the properties to the north, south and east are zoned Corridor Business District B-2. The rear of this property and properties to the west are zoned Single-Family Dwelling District RS-2.



The statement of intent for the B-2 District reads:

This district is established to provide locations on heavily traveled collector and arterial highways for those commercial and service uses primarily oriented to the automobile. This district is applied along those streets primarily used to access local shopping areas, and providing locations for existing and future hotels, restaurants and other tourist retail uses.

SPECIAL USE PERMIT

The special use permit section of the Zoning Ordinance (Sec. 21-42) establishes the following criteria for special use permits:

- (a) The proposed use shall be:
 - (1) In harmony with the adopted comprehensive plan;
 - (2) In harmony with the intent and purpose of the zoning district in which the use is proposed to be located;
 - (3) In harmony with the character of adjacent properties and the surrounding neighborhoods, and with existing and proposed development.
- (b) The proposed use shall be adequately served by essential public services such as streets, drainage facilities, fire protection and public water and sewer facilities.
- (c) The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.
- (d) The proposed use shall be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods.

Additional reasonable standards as deemed necessary to protect the public interest and welfare may be imposed, including: more restrictive sign standards; additional open space, landscaping or screening requirements; additional yard requirements; special lighting requirements; limitation on hours of operation; and additional off-street parking and loading requirements.

The Planning Director or Planning Commission may require the following additional information:

- (1) A traffic impact analysis, showing the effect of traffic generated by this project on surrounding streets and neighborhoods.
- (2) A public utility analysis, showing the effect of this project on public water, sewer and/or storm drainage facilities.
- (3) A fiscal impact analysis. The Planning Director or the Planning Commission may request the City Council to provide funds for the preparation of this study by the City.

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Staff does not feel that any additional studies are needed in order to make a decision on this request.

PUBLIC HEARING DATE

A public hearing is scheduled for the regular Planning Commission meeting on August 20.

Carolyn A. Murphy, AICP Deputy Planning Director

Carolyna. Huphy

TARLEY ROBINSON

ATTORNEYS & COUNSELLORS AT LAW

Tarley Robinson, PLC 4808 Courthouse Street, Suite 102 Williamsburg, Virginia 23188

> Telephone (757) 229-4281 Facsimile (757) 229-7439

> John Tarley, Jr. jtarley@tarleyrobinson.com

June 30, 2014

Reed Nester, AICP Planning Director City of Williamsburg 401 Lafayette Street Williamsburg, VA 23185

Re: Statement in support of Application for a Special Use Permit 901 Capitol Landing Road, Williamsburg, Virginia

Dear Mr. Nester:

This letter supports the attached Application for a Special Use Permit ("SUP") allowing an adaptive reuse of an abandoned hotel located at 901 Capital Landing Road (the "Property"), converting it into a distillery. This use is consistent with the most recent changes to the Corridor Business District B-2 Zoning Ordinance and is consistent with the City of Williamsburg's Comprehensive Plan.

OWNERSHIP OF THE APPLICANT

The Property is owned by the City of Williamsburg ("City"). The City has entered into a contract to sell the Property to Copper Fox Distillery Enterprises, LLC ("Copper Fox"). The sale is contingent on the SUP being granted. Copper Fox is the applicant for this permit, and is the entity that has operated a successful small distillery in Sperryville, Virginia since 2005. Rick Wasmund is the principal of Copper Fox.

SUMMARY OF THE PROJECT

Copper Fox's primary objective is to expand into Williamsburg its production of very high quality beverage alcohol. Copper Fox anticipates that it will bring a positive influence to the area, generating visitors to the site as it has experienced in Sperryville. Visitors and customers will have the opportunity to experience the production process along with small controlled samples of Copper Fox's products.

Copper Fox proposes to leave the existing structures but repurpose them from the inside out. The Property has been vacant for the past two and a half years and is showing signs of neglect and decay. Consequently, Copper Fox will make exterior improvements to the structures and landscaping to improve the "curb appeal" of the Property.

Subject to all necessary approvals of the City, there will likely be some different color schemes for the property. Because the distillery's operations require larger doors to facilitate movement of materials and installation of the stills, there will likely be some size changes in doors to the main building (subject to all necessary approvals of the City).

The distillery shall not have a negative impact upon water, utilities, traffic or noise. Furthermore, the distillery's financial impact should be substantially positive for the city as a direct revenue generator.

REQUEST FOR A SPECIAL USE PERMIT

- 1. The SUP will permit the City to confirm its commitment to return the Property to the private sector for commercial reuse. When it approved its purchase of the former Lord Paget Hotel in October 2011, one of the City's stated goals was to encourage adaptive reuse of one or more of the existing buildings which would influence the future success of the Capitol Landing Road Entrance Corridor. As shown on the attached exhibit, Copper Fox intends to make good use of that investment by reusing all the structures on the Property while operating a high quality commercial enterprise, generating jobs, and drawing visitors and producing excellent product.
- 2. The SUP conforms with the City's recent change to the B-2 Zoning Ordinance. At its meeting on May 9, 2013, the City Council approved unanimously a change to the B-2 Zoning Ordinance, adding "micro-brewery, micro-distillery, micro-winery and micro-cidery" as a special use permit use in the B-2 District. One important reason behind this change was to address "numerous inquiries over the past year about these uses," confirming that "it makes sense to add this as a special use permit use." This application for an SUP supports the reasonableness of that change.
- 3. The improvements to the Property will enhance one of the City's Entrance Corridors. As set forth in the 2013 Comprehensive Plan, the City established a goal to "Strengthen the concept of 'gateway' and create a strong sense of arrival, offering a clear message that one is entering Williamsburg." The Capitol Landing Road Entrance Corridor "serves as an important entrance into the City from the north" and offers "numerous opportunities for further development and redevelopment." By adaptively reusing the abandoned hotel, Copper Fox will enhance this important gateway to the City, encouraging further business development and much needed traffic along this route.

CONCLUSION

On behalf of Copper Fox Distillery Enterprises, LLC, we respectfully request the Planning Commission recommend and the Board of Supervisors approve its Application for a Special Use Permit. The Application will transform an abandoned property on an important entrance corridor to an exciting new business opportunity that accomplishes many goals and objectives of the Comprehensive Plan. We look forward to presenting this case to the Planning Commission and Board of Supervisors, and will supplement this Application with a Site Plan consistent with the City's ordinances.

Sincerely,

TARLEY ROBINSON, PL

John Tarley, Jr

JT:wg

cc: Copper Fox Distillery Enterprises, LLC Hopke & Associates, Inc.

TO: Planning Commission

DATE: July 9, 2014

COLONI

SUBJECT: PCR #14-017

Request of Delphi Properties, Inc. to amend the PDU District conditions for the City Lofts Student Apartments at 1400 Middle

Street

The former Quality Inn & Suites at 1400 Middle Street was approved in June 2012 (PCR #12-006) for conversion from a 118-bedroom hotel to City Lofts to a student apartment building with 94 one-bedroom apartments. This required creating a new PDU Planned Development Urban District, and rezoning the property to the new PDU District. The original application stated "The owner's goal is to create the premier off-campus student housing community in the market. We want to deliver the highest level of comfort, security, maintenance, and convenience to our residents."



City Lofts - View from the High Street Parking Garage

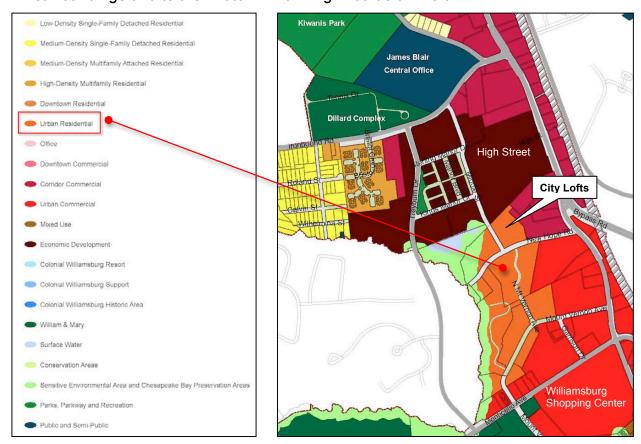
The original approval (PCR #12-006) was for 94 one-bedroom student dwelling units (49 units to accommodate two students, and 45 to accommodate one student, for a total of 143 students), plus a two-bedroom manager's apartment, for a total of 95 apartments. Only 90 apartments were constructed. The proposed changes are for 75 two-bedroom apartments to accommodate two students each, 14 one-bedroom apartments to accommodate one student each, for a total of 164 students, plus a two-bedroom manager's apartment. The original approved density for the 2.64 acre project (2.54 net acres) was 37.4 dwelling units/net acre (95 dwelling units ÷ 2.54 net acres), and the proposed revised density is 35.4 dwelling units/net acre (90 dwelling units ÷ 2.54 net acres).

COMPREHENSIVE PLAN

The 2013 Comprehensive Plan designates this parcel as Urban Residential land use, which is defined by the Plan as follows:

This land use category is designed specifically for the multifamily residential area in the Midtown Planning Area that is suitable for redevelopment to a higher density residential use. This area located between the College of William and Mary and the High Street Williamsburg development, and interconnected by a growing network of sidewalks, bike lanes and public transit. The proximity of this area to the College makes it very attractive for helping to meet the need for college student housing, and only multifamily dwellings and student dwellings are allowed. The permitted dwelling unit occupancy is two unrelated persons in an efficiency or one bedroom dwelling unit, and four unrelated persons in a two or more bedroom dwelling unit.

The existing RM-2 zoning should remain in place until an acceptable development plan is presented for rezoning to a revised PDU Planned Development Urban District, with the density allowed determined through the rezoning process. The primary consideration for the density approved should be how the scale and character of the proposed project relates to its immediate surroundings and to the Midtown Planning Area as a whole.



Future Land Use Map - 2013 Comprehensive Plan

PCR #14-017 July 9, 2014 Page 3

The Plan talks more specifically about this in Chapter 8 – Neighborhoods and Housing when discussing the Midtown Planning Area:

<u>Urban Residential Area.</u> The existing High Density Multifamily Residential land use (14 dwelling units/net acre) should be changed to Urban Residential land use. The existing RM-2 zoning should remain in place until an acceptable development plan is presented for rezoning to a revised PDU Planned Development Urban District, with the density allowed determined through the rezoning process. The primary consideration for the density approved should be how the scale and character of the proposed project relates to its immediate surroundings and to the Midtown Planning Area as a whole. Student dwellings should be a permitted use, with a dwelling unit occupancy of two unrelated persons in an efficiency or one bedroom dwelling unit, and four unrelated persons in a two or more bedroom dwelling unit. A building height of 45 feet should be allowed.

EXISTING ZONING

The existing zoning for City Lofts is PDU Planned Development Urban District. The PDU District allows high-density multifamily dwellings and student dwellings, at a density to be determined as a part of the rezoning process. Permitted dwelling unit occupancy is no more than two unrelated persons in an efficiency or one bedroom apartment, and no more than four unrelated persons in a two or more bedroom dwelling unit. Rezoning to a PDU District approved a specific density and development plan for the project.

The statement of intent for the PDU District reads:

The PDU district is established to encourage innovative and creative multifamily housing in the Midtown Planning Area in areas designated as Urban Residential land use. This area, because of its proximity to existing commercial and multifamily development, and to the College of William and Mary, has potential to accommodate additional dwelling units in an evolving urban mixed-use area. Development and redevelopment in the PDU district should promote high standards of design and construction, encourage pedestrian scale urban development and take advantage of proximity to existing transit routes and pedestrian and bicycle facilities.

Land to the west (Sylvia Brown Apartments) and south (Lawson Apartments) of the property is zoned RM-2 Multi-Family Dwelling District. Land to the east (Fairfield Inn & Suites and Patriot Inn is zoned B-2 Corridor Business District, and land to the north (High Street) is zoned ED-2 Economic Development District.

APPROVALS NEEDED

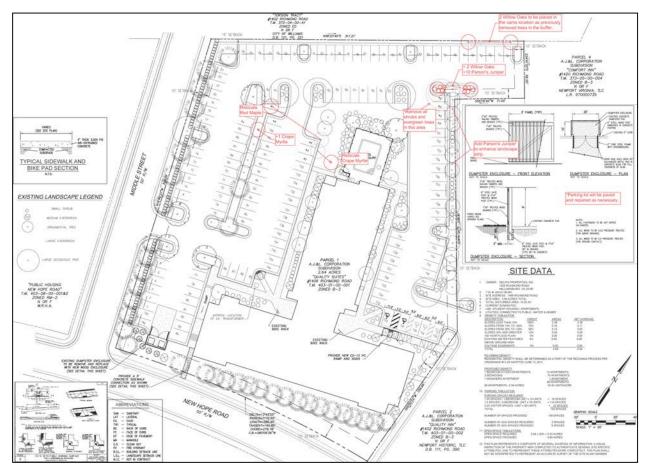
The proposal keeps the same PDU District, but revises the Development Plan, Management Plan and conditions attached to the previous rezoning (PCR #12-006). These revised plans need to be approved as a part of this request.

DEVELOPMENT PLAN

The Development Plan approved with the original proposal (PCR #12-006) called for 94 one-bedroom student apartments plus a two-bedroom manager's apartment, for a total of 95 apartments. It was proposed that 49 of the one-bedroom apartments will house two students, and 45 will house one student, for a total of 143 students in the building. This proposed layout was based upon a conceptual floor plan of the building. When the detailed plans for the renovation were prepared and approved, based on detailed floor plans, only 90 apartments were constructed. Of the 89 student apartments, 75 were configured as one-bedroom apartments with a study. It is proposed to convert these into two bedroom apartments by converting the study into a second bedroom. This will increase the occupancy from the originally approved 143 students to 164 students. The proposed residential density is 35.4 dwelling units/net acre. There is no density specified for the PDU District – the Zoning Ordinance specifies that "In deciding on the density to be allowed, city council shall consider the quality of the building and site design of the proposed development, and how the scale and character of the development relates to its immediate surroundings and to the Midtown Planning Area as a whole."

Converting 75 apartments to two-bedroom apartments increases the parking requirement from 146 spaces to 154 spaces. The Development Plan has added 8 additional spaces to meet this requirement, which will require a reduction in the required 10-foot landscape strip between four of the new parking spaces and the Patriot Inn property. This will result in a 4½ to 5-foot reduction in the landscape requirement, which is similar to the existing landscape strip for the existing parking bay along this property line. The reduction is under review by the Zoning Administrator, who has the approval authority to allow a waiver. The total landscape area required by the Zoning Ordinance will be met by this proposal (20% required, 24% provided). Two existing trees will be relocated and five new trees and additional shrubbery will be added.

Both the original and proposed Management Plans for City Lofts call for a full-time live-in Resident Manager, an in-house maintenance team, key-card access to the building, closed-circuit TV cameras for security, and a resident handbook. The proposed Management Plan eliminates the Security Desk Attendant and the Resident Community Assistants living on each floor, with the Resident Manager assuming these responsibilities, which include monitoring the security camera network. The revised Management Plan will need to be approved as part of this proposal.



City Lofts Revised Development Plan

ARCHITECTURAL REVIEW

This property is not located in an architectural review district.

INITIAL OBSERVATIONS

The revised City Lofts project is located in an area that the 2013 Comprehensive Plan has identified as having potential for higher-density multifamily dwellings. The original PDU District was developed in conjunction with the original City Lofts proposal, and was modified during the development of the 2013 Comprehensive Plan. The current PDU District does not specify an allowable residential density, but allows it to be determined in conjunction with the rezoning – the 35.4 dwelling units/net acre density is slightly lower than the original density approved (37.4). The Comprehensive Plan designates this area as Urban Residential land use, noting that "the proximity of this area to the College makes it very attractive for helping to meet the need for college student housing..." This revised proposal, other than accommodating 21 additional students (+15%) is essentially similar to the original proposal.

PLANNING COMMISSION PUBLIC HEARING

The Planning Commission public hearing is scheduled for the regular Planning Commission meeting on August 20.

Reed T. Nester, AICP Planning Director

Reed T. Net-

RAYMOND H. SUTTLE
RALPH M. GOLDSTEIN
JOHN T. TOMPKINS, III
CONWAY H. SHELLD, III
HERBERT V. KELLY, JR.
ALLEN C. TANNER, JR.
RICHARD B. DONALDSON, JR.
ROBYN HYLTON HANSEN
RAYMOND H. SUTTLE, JR.
MATTHEW D. MEADOWS
WALLACE B. WASON, JR.

Jones, Blechman, Woltz&Kelly, P.C. Attorneys and Counselors at Law

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Direct Dial No. (757) 873-8006 E-Mail Address: raysuttle@jbwk.com

June 30, 2014

ALLAN D. JONES, 1875-1954
DANIEL SCHLOSSER, 1915-1977
F.O. BLECHMAN, 1905-1986
ARTHUR W. WOLTZ, 1905-1993
THOMAS N. DOWNING, 1919-2001
SVEIN J. LASSEN, 1947-2006
HERBERT V. KELLY, 1920-2007
B.M. MILLNER, 1929-2011

REBECCA L SHWAYDER AMAN JENNIFER L MUSE C. PATRICK TENCH CHRISTOPHER M. MACKENZIE BRITNEY H. MADDUX BERKLEY D. FOLTZ

Reed Nester, Planning Director 401 Lafayette Street Williamsburg, VA 23185

RE: Statement in Support of Request for Rezoning

Dear Mr. Nester:

This letter is offered as the applicant's statement in support of the Rezoning Application.

History of Project

By ordinance #12-10 (copy attached), which was adopted on June 14, 2012, City Council for the City of Williamsburg adopted the ordinance to rezone 2.64 acres at 1406 Richmond Road from B-3 to PDU. The rezoning was subject to the following four (4) conditions: (1) The property was approved for 94 one bedroom student dwelling units (49 units to accommodate two students and 45 to accommodate one student), one two bedroom manager's apartment and various supporting facilities, including fitness room, lounge, media room, and study areas; (2) The plans entitled "SCHEMATIC PLAN OF DEVELOPMENT, 1406 RICHMOND ROAD", dated 3/12/12 prepared by AES Consulting Engineers; (3) A "Management Plan for the Upkeep and Maintenance of City Lofts" dated March 30, 2012; and (4) Approval of the final site plan by the Planning Commission.

Proposed Change

The applicant is requesting that the zoning conditions be changed to reflect the following units types and number of units:

Unit Type	Number of Units	Unit Type
Α	20	two bedrooms
В	27	two bedrooms
С	28	two bedrooms
D	7	one bedroom
E	7	one bedroom

Jones, Blechman, Woltz & Kelly, P.C.

Page 2

Along with a resident manager's two bedroom apartment.

The total number of units requested is 90, of which 76 are two bedroom units and 14 are one bedroom units. A unit layout plan prepared by Guernsey Tingle Architects is attached hereto and made a part of this application.

The schematic plan has been revised to reflect the additional parking spaces from 146 spaces to 154 spaces, needed to meet City Code requirements created by the increased occupancy. The revised plan entitled "SCHEMATIC PLAN OF DEVELOPMENT, 1406 RICHMOND ROAD", prepared by AES Consulting Engineers, is attached hereto and made a part of this application. Lastly, the management plan has been revised to reflect the changes requested and the current operations of the project. A copy of the Management Plan for the Upkeep and Maintenance of City Lofts is attached hereto and made a part of this application.

Reason for Rezoning

After operating the property, the owners and management have determined that the property is only economically viable renting the A, B and C units as two bedroom units. In addition, student demand is for two (2) bedroom units. The size of these units is able to accommodate two bedrooms and the units meet the building code requirements for a two (2) bedroom unit. In addition, it was determined that the initial management plan does not actually reflect current operations. The management plan has been revised to reflect the current operations of the project, including security measures and personnel employed by management. As reflected in the Management Plan, the building and rooms have security measures. The security provided is comparable to the security that would be found in a dormitory setting. In addition, the site and landscape plan have been revised to reflect the additional parking spaces needed for the additional occupants.

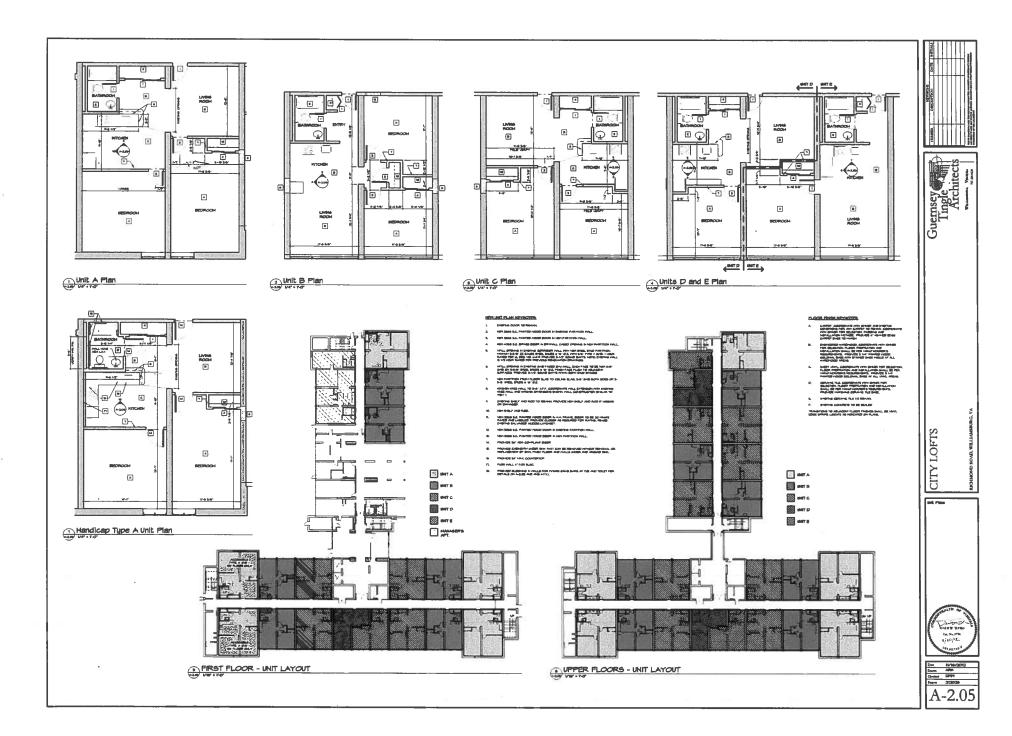
For the foregoing reasons, the applicant would request that the zoning be revised to PDU to reflect the revised conditions.

Very truly yours,

JONES, BLECHMAN, WOLTZ & KELLY, P.C.

Raymond H. Suttle, Jr

RHSjr/jrl



MANAGEMENT PLAN FOR THE UPKEEP AND MAINTENANCE OF CITY LOFTS

This Management Plan is submitted in support of the rezoning application filed by Delphi Properties, Inc. and is dated June 26, 2014.

The owner's goal is to create the premier off-campus student housing community in the market. We want to deliver the highest level of comfort, security, maintenance and convenience to our residents. Our commitment to quality and customer service will lead to unsurpassed customer satisfaction.

Staffing

The complex will engage a management team to oversee the security, maintenance and upkeep of the complex and all the dwelling units therein.

- A Certified Property Manager will lead the management team. The property manager will maintain overall supervision of the complex.
- An onsite Resident Manager will occupy an apartment unit on the first floor in close proximity to the main entrance to the complex. The Resident Manager will be a full time employee who is responsible for daily on-site operations, including hiring and supervising all staff, setting work schedules, managing payables, maintaining employment records, handling resident communications, and leading walk-throughs with departing tenants. A Leasing Specialist will assist the Resident Manager. The Leasing Specialist will provide support to the daily operational management of the property as needed, but his primary responsibilities will be marketing, project tours, leasing, lease administration, and managing receivables.
- Our front security desk will be located at the main entrance to the complex. Visitors
 will only be given access to the complex after resident approval is provided to the
 Resident Manager.
- Our in-house maintenance team will be led by a full-time Maintenance Manager who reports to the Resident Manager. He will be responsible for maintenance of all structures, equipment and exterior property and ensure all preventative and corrective maintenance is completed. He will manage all service contracts and inspections as well as schedule all maintenance activities. The Maintenance Assistant/Groundskeeper will report to the Maintenance Manager and perform tasks as scheduled by the Maintenance Manager.

Security

We will maintain a highly secure environment for our residents by implementing a comprehensive security plan that integrates technology, building design and manpower.

- Access to the building will be controlled via a security coded access system. Key cards will serve as room keys.
- The interior corridors of this property enable more secure control of the environment. Closed-circuit cameras will be installed in multiple locations on each floor of the building and at critical points of the exterior of the building. Along with monitoring the security desk, management will monitor the security camera network.
- Exterior lighting around the building and in the parking lot will provide a secure environment beyond the walls of the building.
- To provide fire safety, the complex has automatic smoke detection and alarm systems, automatic sprinkler system, and will have twenty-four hour off-site alarm monitoring. Portable fire extinguishers and emergency lighting will be located throughout the property as required by code.
- Emergency evacuation plans will be posted and included in the resident handbook.

Maintenance

We will develop and implement a comprehensive plan to address scheduled/preventative as well as corrective maintenance.

- Preventative maintenance planning will be done on a five year, rolling cycle, with planned expenditures captured in our capital budget. Examples of preventative maintenance includes inspection and repair of HVAC equipment, roof and flashing, smoke detection and sprinkler systems, IT infrastructure and other building systems, as well as more basic maintenance like HVAC filter replacement, window washing, landscaping, painting, and cleaning storm drains.
- Corrective maintenance will be completed as issues arise, and the process to report issues and contact information will be detailed in the resident handbook. Residents will make requests during business hours to the Resident Manager or Leasing Specialist via the on-line maintenance request form or after hours to the Resident Manager. Maintenance staff will be on call for emergency maintenance. Examples of corrective maintenance include preparing apartments for new residents, fixing leaking toilets, drywall repairs, and replacing and reprogramming locks.

Resident Handbook

Another key component of our management plan is a resident handbook that not only will establish expectations for and standards of resident conduct, it will establish safety and security protocols.

Prior to their move-in date, all residents will schedule and complete an orientation where they receive a welcome packet that includes the resident handbook. At this orientation, residents

will be introduced to and oriented with their new community. The Resident Handbook will include the following sections:

- Introduction to Staff List staff names and contact information to enable necessary interactions and customer service.
- Emergency, maintenance and safety highlights safety contact information, emergency procedures, maintenance procedures, and personal health and safety information.
- Policies and procedures establishes policies and procedures for utilization of communal and personal space.
- Conduct details rules and regulations for resident behavior to support a pleasant environment to live, work and study.
- Resident services explains services available to residents that help make this community the most sought after off-campus student housing community.

Summary

Our management team will implement a plan to ensure the property is consistently operating at peak performance. We will hire talented professionals and create effective interaction models to address any and all issues that the team encounters. To ensure high customer satisfaction, we will be very attentive to resident issues and concerns and ensure all property maintenance is completed promptly and that our secure environment is preserved at all times. An efficient process for reporting corrective maintenance issues, both in the dwelling units and in the common areas, will be detailed in the resident handbook and complemented with a rapid response program to rectify any issues that arise. Furthermore, active and engaged local ownership will provide an additional layer of oversight to make sure the property is maintained to its high standards.

DELPHI PROPERTIES, INC.

Demetrios Florakis, ___

Date: 2/17/14

STATE OF VIRGINIA
CITY/COUNTY OF MEAS, to-wit:

Subscribed and sworn to before me this <u>arrived</u> day of June, 2014 by Demetrios Florakis, <u>President</u> and authorized agent of Delphi Properties, Inc.

My commission expires: 3/31/14
Registration Number: 208708

NOTARY PUBLIC PU

Notary Public

558576



TO:

Planning Commission

DATE:

July 9, 2014

SUBJECT: PCR #14-018

Amend Zoning Ordinance Definition for Group Homes

Virginia Code Sec. 15.2-2291, Sec. 21-2 of the Zoning Ordinance defines "Group" homes" and states that facilities meeting such definition shall qualify as single-family occupancy.

In 2014, the General Assembly amended Virginia Code Sec. 15.2-2291 to more precisely define what constitutes a "Group home" (House Bill 527). It removed the requirement that group homes occupied by individual suffering from mental illness, intellectual disability or developmental disability be also occupied by one or more resident counselors or other staff persons, so as to now only require nonresident staff persons.

The attached ordinance is a housekeeping measure intended to bring the definition of "Group home" into accord with current Virginia Code Section 15.2-2291.

PUBLIC HEARING DATE

A public hearing is scheduled for the regular Planning Commission meeting on August 20.

> Reed T. Nester, AICP Planning Director

ORDINANCE #____PROPOSED ORDINANCE

AN ORDINANCE AMENDING CHAPTER 21, ZONING, ARTICLE I. IN GENERAL, SEC. 21-2 DEFINITIONS PERTAINING TO ASSISTED LIVING FACILITIES AND GROUP HOMES (PCR #14-018)

WHEREAS, the Virginia General Assembly at its 2014 Session enacted House Bill 527 that amended Virginia Code Section 15.2-2291 pertaining to assisted living facilities and group homes of eight or fewer persons; and

WHEREAS, Virginia Code Section 15.2-2291 mandates that zoning ordinances of all Virginia localities treat certain facilities occupied by not more than eight individuals with mental illness, retardation, etc. or by not more than eight individuals who require assistance in carrying out daily living activities due to age, infirmity or disability; and

WHEREAS, House Bill 527 removed the previous statutory requirement that group homes occupied by individuals suffering from mental illness, intellectual disability or developmental disability be also occupied by one or more resident counselors or other staff persons, so as to now only require *nonresident staff persons*; and

WHEREAS, in order to bring the definition of "Group Home" more squarely into accord with the provisions of Virginia Code Section 15.2-2291 it is desirable to further amend and update such definition;

NOW, THEREFORE, BE IT ORDAINED that Chapter 21, Zoning, Article I. In General, Sec. 21-2. Definitions be amended to read as follows:

ARTICLE I. IN GENERAL

Sec. 21-2. Definitions

Dwelling means any building or portion thereof which is designed or used exclusively for residential purposes, but not including hotels, motels, time-share units, travel trailers, recreational vehicles, or similar accommodations.

- (5) Group home means group homes or other residential facilities licensed by the department of mental health, mental retardation and substance abuse services occupied by:
 - a. Not more than eight mentally ill, mentally retarded or developmentally disabled persons together with one or more resident counselors or other staff persons individuals with mental illness, intellectual disability, or developmental disabilities with one or more resident or nonresident staff persons. Mental illness and developmental disability do not include current illegal use of or addiction to a controlled substance as defined in Code of Virginia, § 54.1-3401. In order to qualify as a Group home, such facility must be licensed as a "residential facility" by the Virginia Department of Behavioral Health and Developmental Services; or by

b. Not more than eight aged, infirm or disabled persons together with one or more resident counselors or other staff persons <u>licensed as an assisted living facility or residential facility in which aged, infirm or disabled persons reside by the Virginia Department of Social Services.</u>

For purposes of single-family residential occupancy, a group Group home shall be deemed to be a family and except for the limitations set forth hereinabove, no conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such facility.

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

Adopted:	
	Clyde A. Haulman, Mayor
Attest: Gerry S. Walton, Deputy Clerk	



TO:

Planning Commission

DATE:

July 9, 2014

SUBJECT: PCR #14-019

Amend Requirements for Preliminary Subdivision Plats

Virginia Code Sec. 15.2-2260 regulates requirements for Preliminary Subdivision Plats. Until 2014, there were no stipulations for the number of lots that would require the submittal of a preliminary plat, and the Williamsburg Subdivision Ordinance required a preliminary plat for 25 or more lots.

In 2014, the General Assembly amended Virginia Code Sec. 15.2-2260 to allow a Preliminary Subdivision Plat to be required only for plats of more than 50 lots; for 50 or less lots preliminary plat review is optional on the part of the developer.

The attached ordinance is a housekeeping measure intended to bring the Preliminary Subdivision Plat provisions in the Williamsburg Subdivision Ordinance into accord with current Virginia Code Sec. 15.2-2260 by requiring Preliminary Subdivision Plats only for plats of more than 50 lots, and making the Preliminary Subdivision Plat optional for 50 or less lots.

PUBLIC HEARING DATE

A public hearing is scheduled for the regular Planning Commission meeting on August 20.

> Reed T. Nester, AICP Planning Director

ORDINANCE #____ PROPOSED ORDINANCE

AN ORDINANCE AMENDING THE WILLIAMSBURG SUBDIVISION ORDINANCE BY AMENDING THE REQUIREMENTS FOR PRELIMINARY SUBDIVISION PLATS (PCR #14-019)

WHEREAS, the Virginia General Assembly at its 2014 Session enacted House Bill 209 that amended Virginia Code Section 15.2-2260 pertaining to the number of lots that require a preliminary subdivision plat; and

WHEREAS, House Bill 209 allows local governing bodies to require preliminary subdivision plat approval for subdivisions of more than 50 lots, and optional review and approval for subdivisions of 50 lots or less; and

WHEREAS, in order to bring the City's regulations into accord with the provisions of Virginia Code Section 15.2-2260 it is required to amend Sec. 25-29.1 of the Williamsburg Subdivision Ordinance;

NOW, THEREFORE, BE IT ORDAINED that the Williamsburg Subdivision Ordinance is hereby amended by revising Sec. 25-29.1 to read as follows:

ARTICLE IIIA. PRELIMINARY SUBDIVISION PLAT

Sec. 25-29.1. Purpose.

The preliminary plat review process is an opportunity for the subdivider to present a conceptual master plan for a subdivision for review and approval. This review allows the subdivider to understand and anticipate subdivision design related issues and requirements prior to the submittal of the detailed development plan and the expenditure of substantial funds on engineering design. This review also allows the City staff, Planning Commission, City Council and citizens to comment on the subdivision design in its preliminary stages. Review of the preliminary plat (master plan) shall be based upon the standards contained in this Subdivision Ordinance and the Zoning Ordinance. Because of the importance of this review, it is made a requirement for all subdivision plats containing 25 or more more than 50 lots, and is optional for plats containing 50 or fewer lots.

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

Adopted:	
	 Clyde A. Haulman, Mayor
Attest: Gerry S. Walton, Deputy Clerk	